

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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FERNANDO HERNANDEZ, KENNETH CHOW,  
BRYANT WHITE, DAVID WILLIAMS,  
MARQUIS ACKLIN, CECILIA JACKSON,  
TERESA JACKSON, MICHAEL LATTIMORE  
*and* JUANY GUZMAN, *each individually, and on  
behalf of all other persons similarly situated,*

**12 CV 4339 (ALC)(JLC)**

Plaintiffs,

-against-

**NOTICE OF MOTION**

THE FRESH DIET, INC., THE FRESH DIET INC.,  
LATE NIGHT EXPRESS COURIER SERVICES,  
INC. (FL),  
FRESH DIET EXPRESS CORP. (NY),  
THE FRESH DIET - NY INC. (NY),  
FRESH DIET GRAB & GO, INC. (FL) AKA  
YS CATERING HOLDINGS, INC. (FL) DBA  
YS CATERING, INC. (FL),  
FRESH DIET EXPRESS CORP. (FL),  
SYED HUSSAIN, *individually,*  
JUDAH SCHLOSS, *individually, and*  
ZAIMI DUCHMAN, *individually,*

Defendants.

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**PLEASE TAKE NOTICE THAT**, upon the accompanying Memorandum in Support of Motion to Withdraw as Counsel for Certain Plaintiffs dated May 19, 2015, counsel for the Plaintiffs will move this Court, on a date and time to be set by the Court, before the Hon. Andrew L. Carter, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order, pursuant to Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, allowing Plaintiffs' counsel of record to withdraw from representation of Plaintiffs Bryant White and Teresa Jackson in this action.

Dated: New York, New York  
May 19, 2015

By: /s/ Walker G. Harman, Jr.  
Walker G. Harman, Jr. [WH-8044]  
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